(35)

HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition (S) No.3870 of 2007

Petitioners

1. Anand Kumar Das, S/o. Sri Vinod Bihari Das, aged about 46 years, Occupation Assistant Teacher presently posted at Adarsh Middle School, Chhura, Block Chhura, District Raipur (C.G.).
2. Mitthuram Sahu, S/o. Sri Ratan Lal Sahu, aged about 42 years, Occupation Assistant Teacher presently posted at Primary School, Bharuamuda, Block Chhura, District Raipur (C.G.)
3. Dwarika Rasad Jangre, S/o. Sri Guhiram Jangre, aged about 49 years, Occupation Assistant Teacher presently posted at Primary School Jatiyatora, Block Chhura, District Raipur (C.G.)
4. Chaitu Lal Sahu, S/o. Sri Ganesh Ram Sahu, aged about 55 years, Occupation Assistant Teacher presently posted at Primary School Damanbay, Block Chhura, District Raipur (C.G.)
5. Bhola Kumar Yadav, S/o. Sri R.B. Yadav, aged about 49 years, Occupation Assistant Teacher presently posted at Middle School Jargaon, Block Chhura, District Raipur (C.G.)

Versus

Respondents

1. State of Chhattisgarh, Through Secretary, Tribal Welfare, DKS Bhavan, Raipur (C.G.)
2. Assistant Commissioner, Department of Tribal Welfare, Raipur (C.G.)
3. The Block Education Officer, Chhura, District Raipur (C.G.)

(Writ Petition under Article 226 of the Constitution of India)

Single Bench: Hon'ble Justice Satish K. Agnihotri

Present : Smt. Hamida Siddique, Advocate for the petitioners.
Shri Sumesh Bajaj, Govt. Advocate for the State/ respodents.

ORDER
(Passed on 11th July, 2007)

The petitioners were appointed as Assistant Teachers by the Collector, (Tribal Welfare), Raipur vide order dated 31.12.1987

(Annexure P-4), wherein it was provided that the petitioners would be granted regular pay scale of Rs.975-1650/- after a period of one year.

2.The question of law involved is as to whether the petitioners are entitled to regular pay scale w.e.f. the date of initial appointment or from the date of completion of probation period.

3. Learned counsel appearing for the petitioner as well as for the respondents/State jointly submit that the facts and question of law involved in the present writ petition are the same to that of in W.P. (S) No.5976/2006 **(Sushil Tiwari and others Vs. State Government of Chhattisgarh and others)**, which was allowed vide order dated 7.11.2006.

4. In view of the above-stated submissions made by learned counsel appearing for the parties, the writ petition is allowed in the same terms subject to verification of the facts. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Indu